

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28352 of 2018

Arising Out of PS. Case No.-108 Year-2018 Thana- BANKA District- Banka

Binod Manjhi @ Binod Kumar Singh @ Vinod Singh son of Nageshwar Manjhi @ Nageshwar Singh, resident of village Chutiya, P.S. Banka, District Banka

... .. Petitioner/s

Versus

1. State Of Bihar

2. Nisha Devi wife of Binod Manjhi @ Binod Kumar Singh, resident of village Chutiya, P.S. & District Banka, at present address Nisha Devi D/o Birendra Manjhi of village Bhelgaro, P.s. Chandan, District Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-05-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 504, 498A, 379, 307/34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture and assault upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to



petty family dispute. There is no medical examination report in support of the allegations in respect of offence under Section 307 of the I.P.C. Rest of the offences are triable by the Magistrate. The petitioner has relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S. case No.108 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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